



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sudhir Agrawal Attorney Docket No.: HYZ-030CPCN3 (47508.518)
Serial No.: 09/777,526
Filed: February 6, 2001
For: METHOD OF DOWN-REGULATING GENE EXPRESSION

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Initial Patent Examination Division

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington D.C. 20231.

Sept. 5, 2001
Date

Melanie Legare
Melanie Legare

RESPONSE TO NOTICE OF INCOMPLETE REPLY
(NON-PROVISIONAL APPLICATION)
Filing Date Granted

Dear Sir:

In response to the Notice of Incomplete Reply (Non-Provisional Application) mailed on August 27, 2001, filing date granted, applicant submits the following documents for filing in the above-referenced patent application:

1. A copy of the Notice of Incomplete Reply (Non-Provisional Application); and
2. Twelve (12) sheets of formal drawings (FIGS. 1, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6, 7A, 7B, 7C, 8, 9, 10, 11A, 11B and 12).

Enclosed is a self-addressed, postage prepaid postcard. Please date stamp the postcard indicating timely receipt by the Patent Office of the subject document, and return it to us for our files.

The Commissioner is hereby authorized to charge **\$445.00** to Deposit Account No. 08-0219 for a three (3) month extension of time to respond to the Notice to File Corrected Papers dated April 18, 2001 up to and including September 18, 2001. A Petition for Extension of Time Under 37 CFR 1.136 is filed concurrently herewith.

Please charge any fee deficiency or credit any overpayment in connection with this matter to Deposit Account No. 08-0219.

Respectfully submitted,

Dated: 9/5/01
Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109

(617) 526-6192 (Telephone)
(617) 526-5000 (Facsimile)

Ann-Louise Kerner
Ann-Louise Kerner, Ph.D.
Registration No. 33,523
Attorney for Applicants

Please type a plus sign (+) inside this box →

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **17**

Application Number	09/777,526
Filing Date	February 6, 2001
First Named Inventor	Agrawal
Group Art Unit	
Examiner Name	

Attorney Docket Number **HYZ-030CPCN3 (47508.518)****ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Formal Drawings (Figs. 1, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6, 7A, 7B, 7C, 8, 9, 10, 11A, 11B and 12)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Ann-Louise Kerner, Ph.D. (Reg. No. 33,523)
Signature	
Date	September 5, 2001

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: **9-5-01**Typed or printed name **Melanie Legare**

Signature

Date **September 5, 2001**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 445.00)

Complete if Known

Application Number	09/777,526
Filing Date	February 6, 2001
First Named Inventor	Agrawal
Examiner Name	Not Yet Assigned
Group Art Unit	
Attorney Docket No.	HYZ-030CPCN3 (47508.518)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
 Deposit Account Number **08-0219**
 Deposit Account Name **Hale and Dorr LLP**
 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20**	= <input type="text"/> X <input type="text"/> = <input type="text"/>	
	-3**	= <input type="text"/> X <input type="text"/> = <input type="text"/>	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) _____ SUBTOTAL (3) (\$ 445.00)

*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Ann-Louise Kerner, Ph.D.	Registration No. (Attorney/Agent)	33,523	Telephone 617-526-6000
Signature	<i>Ann-Louise Kerner</i>			
Date	9/5/01			

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,526	02/06/2001	Sudhir Agrawal	HYZ-030CPCN3

CONFIRMATION NO. 8659

23483
 HALE AND DORR, LLP
 60 STATE STREET
 BOSTON, MA 02109



OC000000006477889

Date Mailed: 08/27/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE